**BVNA Executive Committee Meeting Minutes**

March 6, 2016

**EC Present:** Sarah Herlihy, Grant Simpson, Nancy Morrisroe, Clyde Bergstresser, Gaye Bok, Ben Beck, Kenzie Bok, Allie Fitzgerald, Alex Balukonis, Trish Gillis, Bethany Patten, Kathy Hull, Jasper Vicenti, Molly Williams, Judy Komarow, Lora Shea, Jo Campbell, Rocque Dion, Danny Moll, Tom Parsi, Paul Buta, Jamie Brewer

**Non-EC:** Bill Bernaduci, Gina Bernaduci, Brian Boisvert, Don Albanese, Gene and Fay Hale, Sane (?), Ernest Jacob,, Ben Whitney (representative from 11A owner)’

**Elected:** Rep. Aaron Michlewitz, Patrick Lyons (Rep. Michelwitz aide), James Chan (Councilor Linehan’s office), Sam Chambers (Mayors’ ONS)

**Press:** Beth Treffeisen – Back Bay Sun

Meeting commences: 6:59 PM

**Minutes:** A motion was made and seconded to approve the minutes of the February EC meeting and the EC voted to approve the minutes.

**Rep. Michelwitz:** Rep. Michelwitz presented highlights from his legislative priorities for the year, including

*Short Term Rentals****:*** New legislation is being introduced to manage short term rentals (under 30 days) to address concerns that online Platforms such as Airbnb, VRBO, raise with regard to regulations and taxation. Taxation will capture some revenue from this nearly $1B industry, and would be managed by the Dept of Revenue. Regulation will ensure that the units are up to code on fire, safety, liability insurance.

The goal is to create a framework that cities and towns can build off of (i.e., Municipalities can have flexibility in the way they handle – Cambridge, for instance will restrict the types of rentals to owner occupied only).

Some constituent concerns include condo associations who were unaware that units in their buildings were being used primarily for this purpose “it has been creating chaos”. It appears people are buying units just to rent them.

Three current proposal has three types of hosts:

* Residential (under 60 days)
* Commercial (plus 60 days), doing the most damage.
* Professionally managing: business/corporate housing with a management system already in place. Minimum of 5 days. Primarily for the movie industry, area hospitals.

Sarah brought up 14 Winchester St, and the new owner went in to gut renovate, chopped up, none of the work permitted, residents called ISD without response. Sarah feels that Boston doesn’t have resources to monitor the work that is being proposed. How do we make sure the city has the resources? Rep. responded that State-wide taxes start at 4%, then provide a local option to add an additional 5% - 9%. If you take local option, then you have to adhere by the safety and other standards. Sarah comments that there is a huge gap in the law. Rep. comments that there is no regulation/no law currently.

Nancy comments about how to actually enforce the regulations once they are in place. And that so many people won’t take the money and just continue to operate business as usual. Looks like working through the city council is the avenue. Sarah wants to know what the state penalty is for not registering is, Rep. responded that it is $10,000 at first offense, then escalates. As a tax law, it can possibly be about willfully evading tax law.

Questions were raised about B&B – these are exempt from this. How to discern the difference is through some specifics on B&B and levels of how they are already regulated. They are licensed.

The DOR determines the days through public records.

*Sex Offenders:* Important because of shelters at Pine Street and St. Francis. Pine St has to take in everyone, and it’s a challenge. But, there is no real discussion about releasing sex offenders back into society. Looking to come up with standards on how to deal with this issue because it is not fair to anyone, including the shelters.

*Car rental fees:* Kenzie asked about the Mayor’s proposal to use the revenue generated from the car rental tax for universal pre-K in Boston. Currently the money is in the Convention Center Fund, controlled by the state. What are the chances that the money will come back to the city? Rep. is supporting idea, it’s a great creative approach, but a tough road to get done. State funding strictly for Boston program is a hard sell

**Licensing/Planning:**

*20 Isabella:* The owner of 20 Isabella presented plans at the February licensing/planning meeting to renovate this building. It currently is a run-down building. Will be gutted and restored for condominiums. Minor changes to garden and basement entry ways to provide light to lower floors, garden in front. Plans for decks in back. Same owner/developer as 52 Melrose. Developer was asked to be more communicative with respect to both projects, particularly regarding parking and schedule.

A motion was made not to oppose the zoning relief needed, subject to review of actual relief needed to ensure it was not broader than suggested by developer’s presentation. Motion passed unanimously.

*Icon Nightclub:* Icon is located on Warrenton and is affiliated with Venue. The Boston Licensing Board revoked its license after a series of violations following an incident in which an under aged patron fell off the roof of a nearby garage after being served at Icon. There have been other violations in the past. The state ABCC will consider an appeal of the suspensions issued by the BLB at the end of March and early April.

Icon and its lobbying firm presented at the February licensing/planning meeting, stating that they had committed to improving customer screening (id checks) and had contributed to added security. Residents at the licensing/planning meeting complained about ongoing noise from the club, and concerns with the level of police resources devoted to this area when the clubs let out, as well as the history of violations. Those in attendance at the EC meeting discussed whether to support the BLB decision, acknowledging that it might cause the club to close, and people to lose jobs.

A motion was made to support the BLB revocation, including by writing a letter to the ABCC. A majority of the EC supported the vote, but there were several EC members who opposed the motion or abstained.

*400 Tremont St.:* A Cajun seafood restaurant is seeking to open next to the CVS on Tremont. The proponent was seeking support for a use variance and a liquor license (wine beer) at this location. The proponent presented at the February licensing/planning meeting. The owner wanted a 2:00 am liquor license Friday and Saturday, and there was an ongoing discussion about license hours with the proponent, Castle Square and the BVNA.

There was consensus and discussion to support the positon of the Castle Square residents on this issue. The meeting noted that hours can be changed in the future based on the restaurant’s operation and compliance to the agreement.

After discussion, a motion was made and a unanimous vote of the EC was taken to not oppose the variance and license subject to the proponent signing the standard agreement with the BVNA, including license hours of 1:00 am on Friday and Saturday nights and a midnight the rest of the week.

*Winthrop Sq.:* Millennium Partners presented at the February licensing/planning meetings regarding the shadow impacts of the proposed Winthrop Sq. project on the Common/Public Garden. The BVNA has already sent a letter opposing any changes to the shadow law to accommodate this project. There was no motion made on this issue.

*11A Melrose:* Ben Whitney, of Mainsail Management was in attendance and provided an update (though not on the agenda). The building is gutted and construction is beginning. They have nightly security and the building envelope should be secure and well-lit soon, hopefully eliminating the squatter problem. No zoning relief is anticipated.

*Back Bay Station:* This project includes several new buildings and a renovation of the Back Bay Station by Boston Properties. Kenzie Bok is the BVNA representative on the CAS. After a quiet period, the CAC is now active again. Kenzie reported that the project includes restoring the historical integrity of the building. Kenzie reported on planned street improvements. A concern that the closing of the Clarendon Street Pike entrance will increase traffic to the Arlington Street ramp, but the study did not support this. The study did support an increase in use of the Arlington ramp and the Park Square intersection (which is already F rated) but not necessarily associated with the project.

The developer has offered to present to the neighborhood, and the BVNA agreed to plan a date for such a presentation. The comment period deadline is April 18th.

*212 Stuart Schedule:* Sarah reported that the developer has changes to present to the neighborhood, and that these will be presented at the March 20 planning meeting. As the BPDA has to have a “community” meeting as part of the Article 80 process, this will be a joint meeting. The Revere Hotel will present and there will be an opportunity for comments/questions. The comment period will be pushed back to mid-April (later confirmed to be April 14th).

**City Services:**

*Street Savers:* Like the South End, Bay Village voted not to allow space savers during snow storms. The City has indicated that there is additional process needed to implement this for Bay Village, but has not responded to Sarah’s direct request for that process. As a result, the BVNA placed signs that state that space savers are not permitted in Bay Village. The signs will be placed earlier next year.

*Isabella Crosswalk:* City Services met with the City and elected officials regarding this dangerous crosswalk. During the meeting, the group witnessed those attempting to cross “almost get smoked”, however re-designing the crosswalk is a huge project that either no-one wants to tackle, or that isn’t a priority at this time because BTD doesn’t do it without a complete street redesign (i.e., removing parking spots, and daytime meters), and BTD does not think the street warrants that. In the interim the BVNA will continue to push the issue by writing letters to BTD. Captain Fong says there’s a way to at least control the speed by clocking people coming through and BTD did agree to install 25MPH signs. Kenzie is in favor of the BVNA voting to do whatever needs to get it done, as she was almost hit in the crosswalk recently. Sarah suggests that Sam come up with a list of all the things the city can do, and exactly when the City can get that done by our April meeting and time frame. This is a high priority for Bay Village. Getting worse with Arlington St. traffic. People are so concerned with the lights and not looking for people walking. Police can sit there and speed trap and cite people.

**Safety:** Crime was unfortunately up 11%, including car break-ins and stolen money. An Emerson student was caught in the act of spray painting. There was arrest at 52 Piedmont Street for domestic assault.

The police identified priority sites for the cameras. A homeowner on the corner of Fayette/Church has committed to install a camera. Hard wired wireless and electric are needed. The committee will work to identify further volunteers who meet the criteria.

**Misc.** Councilor Linehan has announced his retirement. The BVNA thanked him for his service, as he had always been responsive to the neighborhood.

**Adjournment:** The EC voted to adjourn. Meeting ended at 8:20 pm